

St. Louis City Ordinance 63794

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 72

INTRODUCED BY ALDERMAN FRED WESSELS

AN ORDINANCE recommended by the Board of Public Service authorizing and directing the Mayor and the Comptroller of the City of St. Louis (herein called "City") to execute and deliver to the St. Louis County Water Company (herein called "Company"), its successors and assigns, an easement agreement over property owned by the City and located in St. Louis County as hereinafter described, and containing an emergency clause.

WHEREAS, the City is the owner of a strip of real property located in St. Louis County which the Company is desirous of access to as a means of ingress and egress to another strip of City owned real property located in St. Louis County to which a prior easement has been granted to the Company, and

WHEREAS, it is deemed to be in the public interest to permit the use of the surface of said City owned property to afford ingress and egress to the adjoining easement area, and

WHEREAS, the City is willing to grant an easement as described in EXHIBIT A to the Company.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Mayor and the Comptroller, acting on behalf of the City of St. Louis Water Division, are hereby authorized and directed to execute and deliver to St. Louis County Water Company, its successors and assigns, the easement, as described in Exhibit A of the ordinance, located in St. Louis County, Missouri.

SECTION TWO. This being an Ordinance relating to a public work and improvement and to provide for the preservation of the public health, it is hereby declared to be an emergency measure as defined by Article IV, Section 20 of the City Charter, and shall become effective immediately upon its passage and approval by the Mayor.

EXHIBIT A

EASEMENT AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 1996, by and between the City of St. Louis, Missouri, a municipal corporation of the state of Missouri, (herein called "City"), and the St. Louis County Water Company, a corporation duly registered by the State of Missouri (herein called the "Company"). The City being the owner of a tract of land being part of U. S. Survey 121, Township 45 North, Range 4 East in St. Louis County, Missouri, having acquired said tract of land by deed recorded in Book 974 Page 17 of the St. Louis County Records, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the St. Louis County Water Company, a Missouri corporation with offices located at 535 North New Ballas Road, St. Louis, Missouri 63141, the receipt of which is hereby acknowledged, and for other good and valuable considerations does by these presents grant, sell, convey, and confirm unto the Company, its successors and assigns, the right and easement for ingress and egress over real property owned by the City, from Olive Street Road over an existing roadway, as described in the Quit Claim Deed between the City of St. Louis and St. Louis County, Missouri, as recorded by the St. Louis County Recorder of Deeds, Book 7079 Page 969 and more particularly described as follows:

A strip of land commencing at an iron rod which is on the Northwest property line of Olive Street Road (60' wide) bearing North 45 Degrees 08' 46" East and located a distance of 567.04' from an old stone which is the intersection of said Northwest property line and the line dividing U. S. Survey No. 121 and U. S. Survey No. 157 to a point that is the POINT OF BEGINNING; thence North 40 Degrees 35' 07" West, a distance of 973.54' to an iron pipe; thence North 46 Degrees 45' 21" East along said property line a distance of 20.02' to a point; thence South 40 Degrees 35' 07" East a distance of 972.99' to a point on the Northwest property line of Olive Street Road; thence South 45 Degrees 08' 46" West along said property line a distance of 20.05' to the point of beginning and containing 0.446 acres, more or less. Said easement is shown on the easement plat marked "Exhibit A".

Said easement is accepted by the Company with the understanding and on condition that whenever it shall make any excavations in the above described property, it shall restore the same as nearly as practicable to its former condition. In the event the Company totally, completely and continually abandons and fails to use its water line or lines within the adjacent easement, for a period of twenty four consecutive months, the Company will agree, upon the City's written request, to execute the necessary instrument to release its rights conveyed by this instrument.

IN WITNESS WHEREOF, City of St. Louis and St. Louis County Water Company have caused these presents to be executed and delivered as of the date first above written.

THE CITY OF ST. LOUIS ST. LOUIS COUNTY WATER COMPANY

BY:_____ BY:_____
MAYOR VICE-PRESIDENT

COMPTROLLER

Approved as to form:

CITY COUNSELOR

Attest:

REGISTER

Legislative History					
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND	VOTE
05/10/96	05/10/96	PU			
2ND READING	FLOOR AMEND	FLOOR SUB	VOTE	PERFECTN	PASSAGE
06/07/96				06/14/96	06/14/96
ORDINANCE	VETOED		VETO OVR		EFFECTIVE
63794					